

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 1:22-cv-21004-MD

JESSICA GUASTO,

Plaintiff,

vs.

THE CITY OF MIAMI BEACH, FL,
a Florida municipality,

Defendant.

**DECLARATION OF MARLA ALPIZAR PURSUANT TO
28 U.S.C. § 1746 IN SUPPORT OF DEFENDANT'S REPLY TO PLAINTIFF'S
RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION TO TAX COSTS**

1. My name is Marla Alpizar.
2. I make this Declaration pursuant to 28 U.S.C. § 1746, and in Support of the City of Miami Beach's ("City") Reply to Plaintiff's Response In Opposition to the City's Motion to Tax Costs.
3. Pursuant to 28 U.S.C. § 1746(2), I executed this Declaration in the United States of America.
4. The information herein is based on my personal knowledge.

Public Sector Employment Background

5. On November 30, 2021, I was made the Interim Director of Human Resources for the City of Miami Beach ("Interim Director").
6. On January 30, 2022, I was appointed as the permanent Director of Human Resources for the City of Miami Beach.

7. I am currently the Director of Human Resources (“Director”) for the City of Miami Beach.

8. From August 2016 until November 30, 2021, I was the Assistant Director of Human Resources (“Assistant Director”) for the City of Miami Beach.

9. From January 2007 until August 2016, I worked for the City of Hialeah.

10. At the City of Hialeah, I held the following positions: Director of Education and Community Services, Director of Communications and Special Events, and Library Director.

General Job Duties As Director and Assistant Director

11. The City has approximately 2,200 employees.

12. The City has five (5) unions which represent five (5) bargaining units.

13. As both Director and Assistant Director, my duties were/are as follows:

- i. Assist with supervision of the entire Human Resources Department which is comprised of approximately twenty-nine (29) employees.
- ii. Focus primarily in the areas of Employee and Labor Relations, Recruitment, and Compensation.
- iii. Participate in disciplinary matters with employees and unions.
- iv. Represent management in collective bargaining negotiations and all labor relations matters.
- v. Work closely with the City’s Pension Department.

14. Police Officers at the City of Miami Beach are represented by The Fraternal Order of Police, William Nichols Lodge No. 8 (“FOP”).

15. The FOP is the exclusive bargaining representative for a bargaining unit of City police employees.

16. The City police employees that are part of the FOP's bargaining unit (the "Bargaining Unit") are police employees who have the ranks of:

- i. Police Officer
- ii. Sergeant; and
- iii. Lieutenant.¹

17. Police employees who have the rank of Captain and above are considered "management employees" and therefore are not part of the FOP's Bargaining Unit.

18. The City cannot require members of the bargaining unit, i.e. police department employees with the ranks of Police Officer, Sergeant, and Lieutenant to attend court or depositions without a subpoena.

19. During this litigation each of Steven Cosner, Kevin Millian, Paul Ozaeta, Arly Flaherty, Nicholas Guasto, and Reginald Lester were all members of the bargaining unit. Therefore, to secure their attendance at a deposition or trial, the City must subpoena each.

20. Subpoenas are handled through the City of Miami Beach Police Department Court Services Unit which coordinates the ability of bargaining unit employees to attend depositions and trials.

21. In short, the City had to subpoena each of Steven Cosner, Kevin Millian, Paul Ozaeta, Arly Flaherty, Nicholas Guasto, and Reginald Lester for their depositions and for trial.

Pursuant to 28 U.S.C. Section 1746(2), I declare under penalty of perjury that the foregoing is true and correct.


Marla Alpizar (Apr 30, 2025 22:09 EDT)
MARLA ALPIZAR

04/30/2025

¹ Police Trainees and Detention Officers are also part of the Bargaining Unit.



Marla Declaration

Final Audit Report

2025-05-01

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